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7 **UNITED STATES DISTRICT COURT**
8 **WESTERN DISTRICT OF WASHINGTON**
9 **AT TACOMA**

10 CECIL DUDGEON,

11 Petitioner,

12 v.

13 HENRY RICHARDS,

14 Respondent.

NO. C09-5299 FDB/KLS

ORDER GRANTING
RESPONDENT'S MOTION FOR
EXTENSION OF TIME TO FILE
ANSWER

15 Before the Court is Respondent's Motion for Extension of Time to File an Answer to
16 Petition for Writ of Habeas Corpus. Dkt. 9. The Respondent's answer is presently due on
17 September 3, 2009. Dkt. 10. Petitioner has filed no opposition to Respondent's request for
18 an extension.


19 Respondent requests an extension of time until October 19, 2009 in which to file his
20 answer to Mr. Dudgeon's habeas petition. Dkt. 9. Although he requested files pertaining to
21 Mr. Dudgeon's case from the Washington state courts on August 13, 2009, Respondent states
22 that he has not yet received any of the files requested from the Washington Court of Appeals
23 or the Washington Supreme Court and he requests additional time to obtain and review the
24 relevant state court record and so that he may prepare his response to the habeas petition. *Id.*,
25 p. 2.

26 Accordingly, it is **ORDERED:**

1. Respondent's motion for an extension of time (Dkt. 9) is **GRANTED**. Respondent shall file his answer **on or before October 19, 2009**.

2. The Clerk shall send copies of this Order to Petitioner and counsel for Respondent.

DATED this 18th day of September, 2009.


Karen L. Strombom
United States Magistrate Judge